

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,

Debtors in Foreign Proceedings.

Fairfield Sentry Limited (In Liquidation),

Plaintiff

-against-

Theodoor GGC Amsterdam, et al.

Defendants.

This Notice of Motion to Dismiss is related to  
the Following Adversary Proceeding:

10-03627

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

Adv. Pro. No. 10-03496 (CGM)

Administratively Consolidated

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of the Motion to Dismiss of Rothschild & Co Asset Management Europe (formerly known as Rothschild & Cie Gestion), as manager of the Elan Gestion Alternative fund (collectively, “Defendant”) (sued as Rothschild & Cie Banque-EGA), the Declaration of Didier Bouvignies, dated October 29, 2021, the Fifth Amended Complaint in the above-captioned proceeding set forth as Exhibit A hereto, and all prior pleadings and proceedings herein, Defendant will move this Court for an order dismissing with prejudice the complaint filed by the Liquidators of Fairfield Sentry Limited and Fairfield Sigma Limited, pursuant to Rule 12(b)(2) of the Federal

Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021  
New York, New York

Respectfully Submitted,

ALLEGAERT BERGER & VOGEL LLP

By: /s/ John F. Zulack

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*Counsel for Defendant Rothschild & Co Asset  
Management Europe (formerly known as Rothschild  
& Cie Gestion), as manager of the Elan Gestion  
Alternative fund (sued as Rothschild & Cie Banque-  
EGA*